

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**ANGELA L. LAWHON,
ADMINISTRATOR of the
ESTATE of JOSHUA L. LAWHON**

Plaintiff,

v.

JOHN EDWARDS, et al.

Defendants.

)
)
)
)
)
)
)
)
)
)
)

Case No. 3:19-cv-924-HEH

NOTICE OF CORRECTION

Plaintiff Angela Lawhon (“Ms. Lawhon”), by counsel, respectfully submits the following Notice of Correction regarding her previously filed Memorandum in Opposition to Motion to Dismiss (Qualified Immunity) (ECF No. 20).

CORRECTION OF MISSTATEMENT OF FACT

Yesterday, Ms. Lawhon filed her Memorandum in Opposition to the Motion to Dismiss (the “Motion”) filed herein by Defendants John Edwards (“Officer Edwards”) and Lashaun Turner (“Officer Turner”) (collectively, “Defendants”). In opposing the Motion, Ms. Lawhon quoted from the language of Exhibit B to the Complaint (ECF No. 1-3)—a departmental policy issued by the City of Richmond Police Department (“General Order 6-10”). In two instances, Ms. Lawhon quoted General Order 6-10 as requiring officers to remove suspects from the prone position “as soon as possible” after handcuffing the suspect. See Mem. in Opp. Mot. Dismiss at 2, 28, ECF No. 20, Apr. 2, 2020. However, this was inaccurate. The actual language of General Order 6-10 requires officers to shift suspects from the prone position “as soon after handcuffing as circumstances allow.” Gen. Order 6-10 at 9, ECF No. 1-3, Dec. 13, 2019. This misstatement was

inadvertent and purely a result of counsel accidentally misremembering the language of General Order 6-10 while doing final edits on the Memorandum in Opposition. Counsel realized the misstatement today and—although Ms. Lawhon believes the two phrases are substantively the same—opted to file this Notice of Correction to ensure the arguments before the Court were based upon an accurate construction of the record.

DATE: April 3, 2020

Respectfully filed,

ANGELA L. LAWHON, as
ADMINISTRATOR of the
ESTATE OF JOSHUA L. LAWHON

By: _____/s/_____
Counsel

Jonathan E. Halperin, Esq. (VSB No. 32698)
Isaac A. McBeth, Esq. (VSB No. 82400)
Halperin Law Center, LLC
5225 Hickory Park Drive, Suite B
Glen Allen, VA 23059
Phone: (804) 527-0100
Facsimile: (804) 597-0209
jonathan@hlc.law
isaac@hlc.law
Counsel for Plaintiff